

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
COOKEVILLE DIVISION**

JAMES RICHARD McCUTCHEN,

Plaintiff,

v.

MACON COUNTY SHERIFF'S DEPT., *et al.*,

Defendants.

)  
)  
)  
) No. 2:10-0022  
) JUDGE HAYNES  
)  
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)  
)

**ORDER**

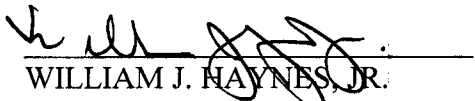
Upon review of the file, the Clerk of Court mailed copies of the Order in this action to the Plaintiff on March 24, 2010. The Copies of the Order were returned to the Court as "Return to Sender." (Docket Entry Nos. 7 and 8).

Under Fed. R. Civ. P. 5(b), service is effective upon mailing to the party's last known address. It is a party's responsibility to inform the Court of his address so as to enable the Court to inform all parties of matters arising in the litigation. Downs v. Pyburn, No. 3:87-0471 (M.D. Tenn. Order filed September 4, 1987). The Plaintiff has failed to inform the Court of his new address, and the Court is unable to conduct the necessary proceedings in this action.

Accordingly, this action is **DISMISSED** without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for Petitioner's failure to prosecute.

It is so **ORDERED**.

**ENTERED** this the 19<sup>th</sup> day of April, 2010.

  
WILLIAM J. HAYNES, JR.  
United States District Judge